



General Assembly

February Session, 2006

Amendment

LCO No. 5534

SB0029005534SD0

Offered by:
SEN. FINCH, 22nd Dist.

To: Subst. Senate Bill No. 290

File No. 295

Cal. No. 230

"AN ACT CONCERNING ENVIRONMENTAL JUSTICE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) (a) To the greatest extent
4 practicable and permitted by the general statutes, the Department of
5 Environmental Protection, the Department of Public Utility Control,
6 the Department of Public Health, the Department of Social Services,
7 the Department of Economic and Community Development and the
8 Connecticut Siting Council, shall make achieving environmental justice
9 part of its mission by identifying and addressing, as appropriate,
10 disproportionately high and adverse human health or environmental
11 effects of its programs, policies, and activities on minority populations
12 and low-income populations in the state.

13 (b) Not later than January 1, 2007, the Commissioner of
14 Environmental Protection, or the commissioner's designee, shall
15 convene an interagency work group on environmental justice that shall

16 be comprised of the heads of the agencies in subsection (a) of this
17 section, or their designees. Said working group shall:

18 (1) Provide guidance to agencies on criteria for identifying
19 disproportionately high and adverse human health or environmental
20 effects on minority populations and low-income populations;

21 (2) Coordinate with, provide guidance to, and serve as a
22 clearinghouse for, each agency as it develops an environmental justice
23 strategy as required by subsection (c) of this section, in order to ensure
24 that the administration, interpretation and enforcement of programs,
25 activities and policies are undertaken in a consistent manner;

26 (3) Assist in coordinating research by, and stimulating cooperation
27 among, those agencies conducting research or other activities in
28 accordance with section 3 of this act;

29 (4) Assist in coordinating data collection;

30 (5) Examine existing data and studies on environmental justice;

31 (6) Hold public meetings as required in section 4 of this act; and

32 (7) Develop interagency model projects on environmental justice.

33 (c) Except as provided in subsection (i) of this section, each state
34 agency listed in subsection (a) of this section shall develop an agency-
35 wide environmental justice strategy, that identifies and addresses
36 disproportionately high and adverse human health or environmental
37 effects of its programs, policies or activities on minority populations
38 and low-income populations. The environmental justice strategy shall
39 list programs, policies, planning and public participation practices,
40 enforcement or regulations related to human health or the
41 environment that should be revised to, at a minimum: (1) Promote
42 enforcement of all health and environmental statutes in areas with
43 minority populations and low-income populations; (2) ensure greater
44 public participation; (3) improve research and data collection relating
45 to the health of and environment of minority populations and low-

46 income populations; and (4) identify differential patterns of
47 consumption of natural resources among minority populations and
48 low-income populations. In addition, the environmental justice
49 strategy shall include, where appropriate, a timetable for undertaking
50 identified revisions and consideration of economic and social
51 implications of the revisions.

52 (d) Not later than February 1, 2007, each agency subject to this
53 section shall identify an internal administrative process for developing
54 its environmental justice strategy and shall inform the working group
55 of the process.

56 (e) Not later than March 1, 2007, each agency subject to this section
57 shall provide the working group with an outline of its proposed
58 environmental justice strategy.

59 (f) Not later than August 1, 2007, each agency subject to this section
60 shall provide the working group with its proposed environmental
61 justice strategy.

62 (g) Not later than October 1, 2007, each agency subject to this section
63 shall finalize its environmental justice strategy and provide a copy and
64 written description of its strategy to the working group. As part of its
65 environmental justice strategy, each agency shall identify several
66 specific projects that can be promptly undertaken to address particular
67 concerns identified during the development of the proposed
68 environmental justice strategy and a schedule for implementing those
69 projects.

70 (h) Not later than October 1, 2008, each agency subject to this section
71 shall report to the working group on its progress in implementing its
72 agency-wide environmental justice strategy.

73 (i) The head of an agency listed in subsection (a) of this section may
74 petition the Governor for an exemption from the requirements of this
75 section and sections 2 to 4, inclusive, of this act the grounds that all or
76 some of the petitioning agency's programs or activities should not be

77 subject to the requirements of this order.

78 Sec. 2. (*Effective October 1, 2006*) The Department of Environmental
79 Protection, the Department of Public Utility Control, the Department
80 of Public Health, the Department of Social Services, the Department of
81 Economic and Community Development and the Connecticut Siting
82 Council shall conduct its programs, policies and activities that
83 substantially affect human health or the environment, in a manner that
84 ensures that such programs, policies and activities do not have the
85 effect of excluding persons from participation in, denying persons the
86 benefits of, or subjecting persons to discrimination under, such
87 programs, policies and activities, because of their race, color or
88 national origin.

89 Sec. 3. (NEW) (*Effective October 1, 2006*) (a) Environmental human
90 health research used in the implementation of section 1 of this act,
91 whenever practicable and appropriate, shall include diverse segments
92 of the population in epidemiological and clinical studies, including
93 segments at high risk from environmental hazards, such as minority
94 populations, low-income populations and workers who may be
95 exposed to substantial environmental hazards.

96 (b) Environmental human health analyses, whenever practicable
97 and appropriate, shall identify multiple and cumulative exposures.

98 (c) Agencies subject to section 1 of this act shall provide minority
99 populations and low-income populations the opportunity to comment
100 on the development and design of research strategies undertaken
101 pursuant to this order.

102 (d) To the extent allowed by the general statutes, each agency
103 subject to section 1 of this act, whenever practicable and appropriate,
104 shall collect, maintain and analyze information assessing and
105 comparing environmental and human health risks borne by
106 populations identified by race, national origin or income. To the extent
107 practicable and appropriate, said agencies shall use this information to
108 develop and implement their agency strategies pursuant to section 1 of

109 this act and to determine whether their programs, policies and
 110 activities have disproportionately high and adverse human health or
 111 environmental effects on minority populations and low-income
 112 populations. In carrying out the responsibilities of this subsection, each
 113 agency, whenever practicable and appropriate, shall share information
 114 and eliminate unnecessary duplication of efforts through the use of
 115 existing data systems and cooperative agreements among agencies.

116 Sec. 4. (NEW) (*Effective October 1, 2006*) (a) The public may submit
 117 recommendations to agencies subject to section 1 of this act relating to
 118 the incorporation of environmental justice principles into said agency
 119 programs or policies. Each agency shall convey such recommendations
 120 to the working group established in section 1 of this act.

121 (b) Each agency subject to section 1 of this act may, whenever
 122 practicable and appropriate, translate crucial public documents,
 123 notices and hearings relating to human health or the environment for
 124 limited-English-speaking populations.

125 (c) Each agency subject to section 1 of this act shall work to ensure
 126 that public documents, notices, and hearings relating to human health
 127 or the environment are concise, understandable and readily accessible
 128 to the public.

129 (d) The working group established pursuant to section 1 of this act
 130 shall hold public meetings, as appropriate, for the purpose of fact-
 131 finding, receiving public comments and conducting inquiries
 132 concerning environmental justice. The working group shall prepare for
 133 public review a summary of the contents and recommendations
 134 discussed at the public meetings."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section
Sec. 3	<i>October 1, 2006</i>	New section

Sec. 4	<i>October 1, 2006</i>	New section
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